

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	04-00246-05-CR-W-DW
LOREN W. MAY, SR.,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on October 12, 2005. Defendant Loren May, Sr., appeared in person pro se and with stand-by counsel Kenton Hall. The United States of America appeared by Assistant United States Attorney Brent Powell.

I. BACKGROUND

On December 16, 2004, a second superseding indictment was returned charging defendant and nine co-defendants with conspiracy to distribute crack cocaine, in violation of 21 U.S.C. § 846. All of the co-defendants have entered guilty pleas.

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Powell announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Charles "Tiger" Parson,

Buchanan County Drug Strike Force.

Defendant announced that he will try the case pro se, and Kenton Hall will be present as stand-by counsel.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Powell announced that the government intends to call 7 witnesses without stipulations during the trial.

Defendant announced that he intends to call 23 witnesses during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Mr. Powell announced that the government will offer approximately 65 exhibits in evidence during the trial.

Defendant announced that he will offer approximately 10 exhibits in evidence during the trial.

VI. DEFENSES

Defendant announced that he will rely on the defenses of general denial, alibi, and entrapment.

VII. POSSIBLE DISPOSITION

Defendant stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are not likely.

IX. TRIAL TIME

Defendant, Mr. Hall, and Mr. Powell were in agreement that this case will take 4 1/2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed February 25, 2005, defendant and counsel for the government file and serve a list of exhibits each intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by October 12, 2005.

That defendant and counsel for the government file and serve requested jury voir dire examination questions by or before Wednesday, October 19, 2005.

That defendant and counsel for the government file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before Wednesday, October 19, 2005. The parties are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and, if available to counsel, 3 and 1/2 inch computer disk in a form compatible with WordPerfect 9.0, 10.0, or 11.0.

XI. UNUSUAL QUESTIONS OF LAW

The government will file motions in limine dealing with relevance of records. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on October 24,

2005. the parties are requesting a trial setting for the second week of the docket,
i.e., October 31, 2005.

/s/ Robert E. Larsen

ROBERT E. LARSEN
U. S. Magistrate Judge

Kansas City, Missouri
October 12, 2005

cc: The Honorable Dean Whipple
Mr. Brent Powell
Mr. Loren May, Sr.
Mr. Kenton Hall
Mr. Jeff Burkholder